



# CITY OF LODI

## COUNCIL COMMUNICATION

**AGENDA TITLE:** Ordinance No. 1692 Entitled, "An Ordinance Of The Lodi City Council Amending The Official District Map Of The City Of Lodi And Thereby Rezoning 109 North Mills Avenue (APN 029-400-01) From P, Public To R-1, Single-Family Residential (First Baptist Church Of Lodi And The Lodi Unified School District)"

**MEETING DATE:** September 20, 2000

**PREPARED BY:** City Clerk

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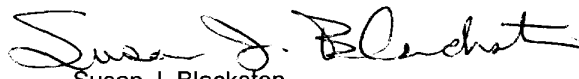
**RECOMMENDED ACTION:** Following reading by title, it would be appropriate for the City Council to adopt Ordinance No. 1692.

**BACKGROUND INFORMATION:** Ordinance No. 1692 entitled, "An Ordinance Of The Lodi City Council Amending The Official District Map Of The City Of Lodi And Thereby Rezoning 109 North Mills Avenue (APN 029-400-01) From P, Public To R-1, Single-Family Residential (First Baptist Church Of Lodi And The Lodi Unified School District)" was introduced at the regular City Council meeting of August 16, 2000.

Pursuant to State statute, ordinances may be adopted five days after their introductions following reading by title.

This Ordinance has been approved as to form by the City Attorney.

**FUNDING:** None required.

  
Susan J. Blackston  
City Clerk

Attachment

**APPROVED:** \_\_\_\_\_  
H. Dixon Flynn -- City Manager

ORDINANCE NO. 1692

AN ORDINANCE OF THE LODI CITY COUNCIL AMENDING THE  
OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND  
THEREBY REZONING 109 NORTH MILLS AVENUE (APN 029-  
400-01) FROM P, PUBLIC TO R-1, SINGLE-FAMILY  
RESIDENTIAL

(FIRST BAPTIST CHURCH OF LODI AND THE LODI UNIFIED SCHOOL DISTRICT)

=====

BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

Section 1. The Official District Map of the City of Lodi adopted by Title 17 of the Lodi Municipal Code is hereby amended as follows:

5.9-acre parcel located at 109 North Mills Avenue (APN 029-400-01) is hereby rezoned from P, Public to R-1, Single-Family Residential, as shown on Exhibit "A" attached, which is on file in the office of the City Clerk.

Section 2. A Negative Declaration has been prepared in compliance with the California Environmental Quality Act of 1970, as amended, and the Guidelines provided thereunder. Further, the Planning Commission has reviewed and considered the information contained in said Negative Declaration with respect to the project identified in their Resolution No. P.C. 00-11.

Section 3 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 4 - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

Section 5. The alterations, changes, and amendments of said Official District Map of the City of Lodi herein set forth have been approved by the City Planning Commission and by the City Council of this City after public hearings held in conformance with provisions of Title 17 of the Lodi Municipal Code and the laws of the State of California applicable thereto.

Section 6. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 7. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this 20<sup>th</sup> day of September, 2000

  
STEPHEN J. MANN  
Mayor

Attest:

  
SUSAN J. BLACKSTON  
City Clerk

State of California  
County of San Joaquin, ss.


I, Susan J. Blackston, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1692 was introduced at a regular meeting of the City Council of the City of Lodi held August 16, 2000 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held September 20, 2000 by the following vote:

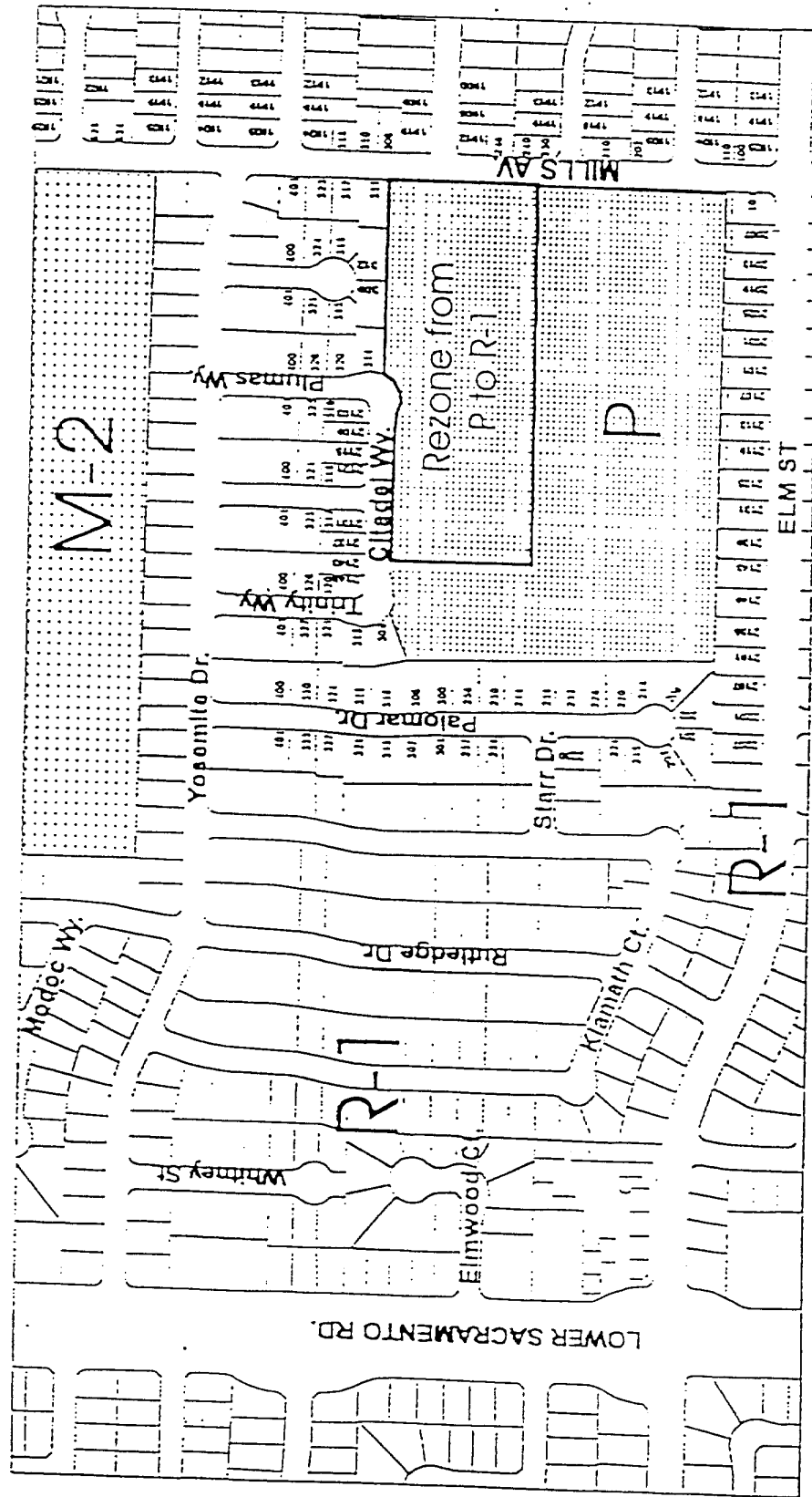
AYES:	COUNCIL MEMBERS –	<b>Hitchcock, Land, Nakanishi and Pennino</b>
NOES:	COUNCIL MEMBERS –	<b>None</b>
ABSENT:	COUNCIL MEMBERS –	<b>None</b>
ABSTAIN:	COUNCIL MEMBERS –	<b>Mayor Mann</b>

I further certify that Ordinance No. 1692 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

  
SUSAN J. BLACKSTON  
City Clerk

Approved as to Form:

  
RANDALL A. HAYS  
City Attorney



# Proposed Rezoning

CITY COUNCIL

STEPHEN J. MANN, Mayor  
ALAN S. NAKANISHI  
Mayor Pro Tempore  
SUSAN HITCHCOCK  
KEITH LAND  
PHILLIP A. PENNINO

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 333-6702  
FAX (209) 333-6807

H. DIXON FLYNN  
City Manager  
SUSAN J. BLACKSTON  
City Clerk  
RANDALL A. HAYS  
City Attorney

September 21, 2000

Lodi Unified School District  
1305 E. Vine Street  
Lodi, CA 95240

**RE: AUGUST 16, 2000 PUBLIC HEARING TO CONSIDER GENERAL PLAN AMENDMENT  
AND REZONING FOR PROPERTY LOCATED AT 109 NORTH MILLS AVENUE**

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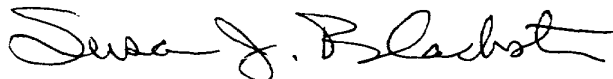
This letter is to notify you that at the City Council meeting of August 16, 2000, the City Council adopted a Resolution redesignating 109 North Mills Avenue from PQP, Public-Quasi Public to LDR, Low-Density Residential.

Further, at the meeting of September 20, 2000, the City Council adopted an Ordinance rezoning 109 North Mills Avenue from P, Public to R-1, Single-Family Residential.

Enclosed is a certified copy of the subject Resolution and Ordinance.

If you have any questions, please contact the Community Development Department at (209) 333-6711.

Sincerely,



Susan J. Blackston  
City Clerk

SJB/jmp

Enclosures

cc: Community Development Director

CITY COUNCIL

STEPHEN J. MANN, Mayor  
ALAN S. NAKANISHI  
Mayor Pro Tempore  
SUSAN HITCHCOCK  
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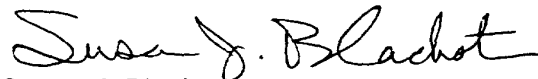
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Sincerely,



Susan J. Blackston  
City Clerk

SJB/jmp

Enclosures

cc: Community Development Director

RESOLUTION NO. 2000-150

A RESOLUTION OF THE LODI CITY COUNCIL AMENDING  
THE LAND USE ELEMENT OF THE LODI GENERAL PLAN BY  
REDESIGNATING 109 NORTH MILLS AVENUE FROM PQP,  
PUBLIC-QUASI PUBLIC TO LDR, LOW-DENSITY  
RESIDENTIAL

=====

BE IT RESOLVED, by the City Council of the City of Lodi, that the Land Use Element of the Lodi General Plan is hereby amended by redesignating 109 North Mills Avenue from PQP, Public-Quasi Public to LDR, Low-Density Residential, as shown on Exhibit "A" attached, which is on file in the office of the Lodi City Clerk; and

BE IT FURTHER RESOLVED that a Negative Declaration ND-00-04 has been prepared in compliance with the California Environmental Quality Act of 1970, as amended, and the Guidelines provided thereunder. Further, the Planning Commission has reviewed and considered the information contained in said Negative Declaration with respect to the project identified in their Resolution No. P.C. 00-10.

Dated: August 16, 2000

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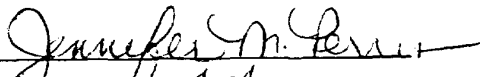
I hereby certify that Resolution No. 2000-150 was passed and adopted by the Lodi City Council in a regular meeting held August 16, 2000 by the following vote:

AYES: COUNCIL MEMBERS – Hitchcock, Land, Nakanishi and Pennino  
NOES: COUNCIL MEMBERS – None  
ABSENT: COUNCIL MEMBERS – None  
ABSTAIN: COUNCIL MEMBERS – Mann (Mayor)

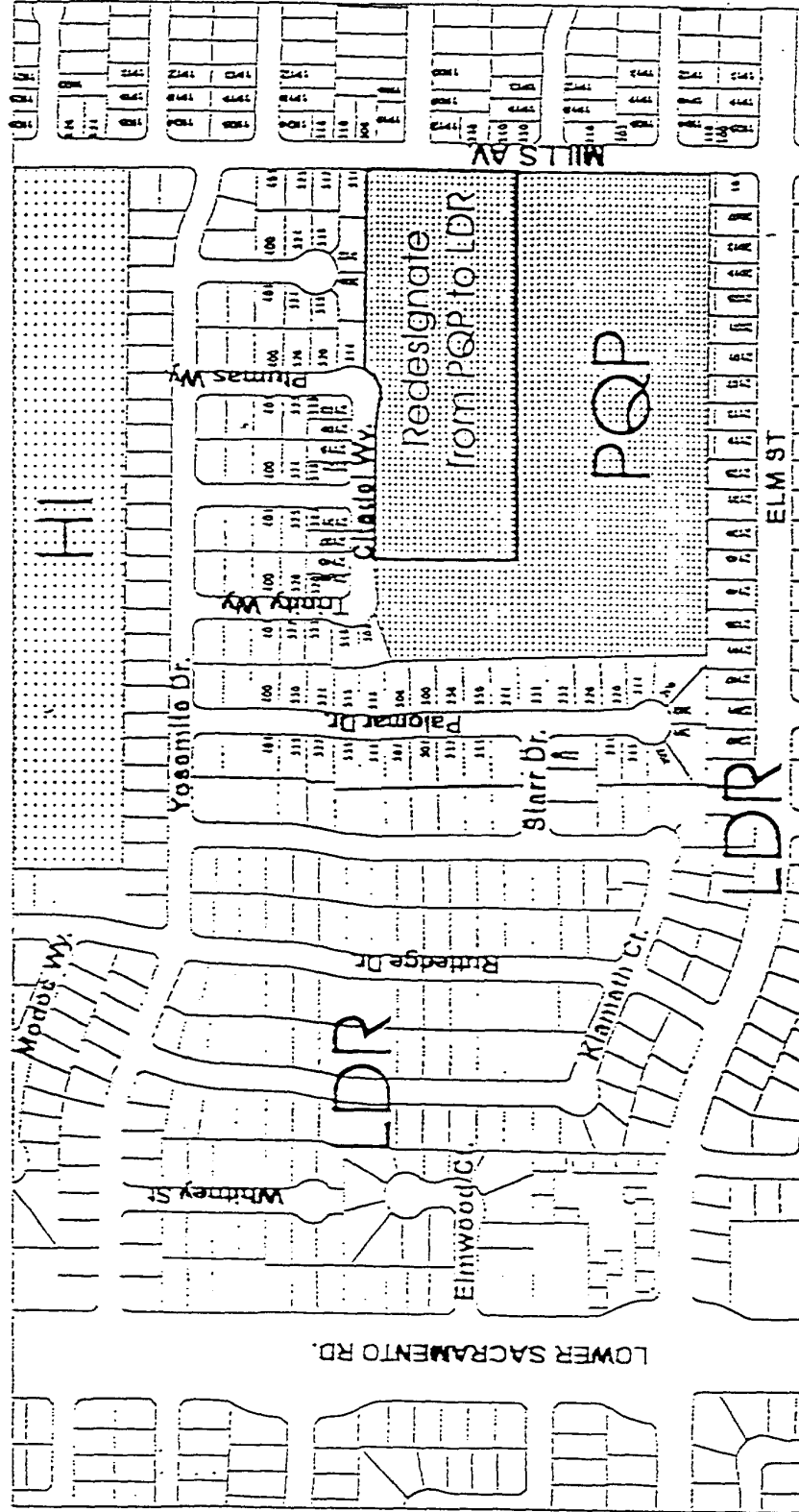
The foregoing document is certified to be a correct copy of the original on file in the City Clerk's Office.

Jennifer M. Perrin  
Deputy City Clerk, City of Lodi

By:  
Dated:

  
8/18/00

  
SUSAN J. BLACKSTON  
City Clerk



Proposed General Plan Amendment



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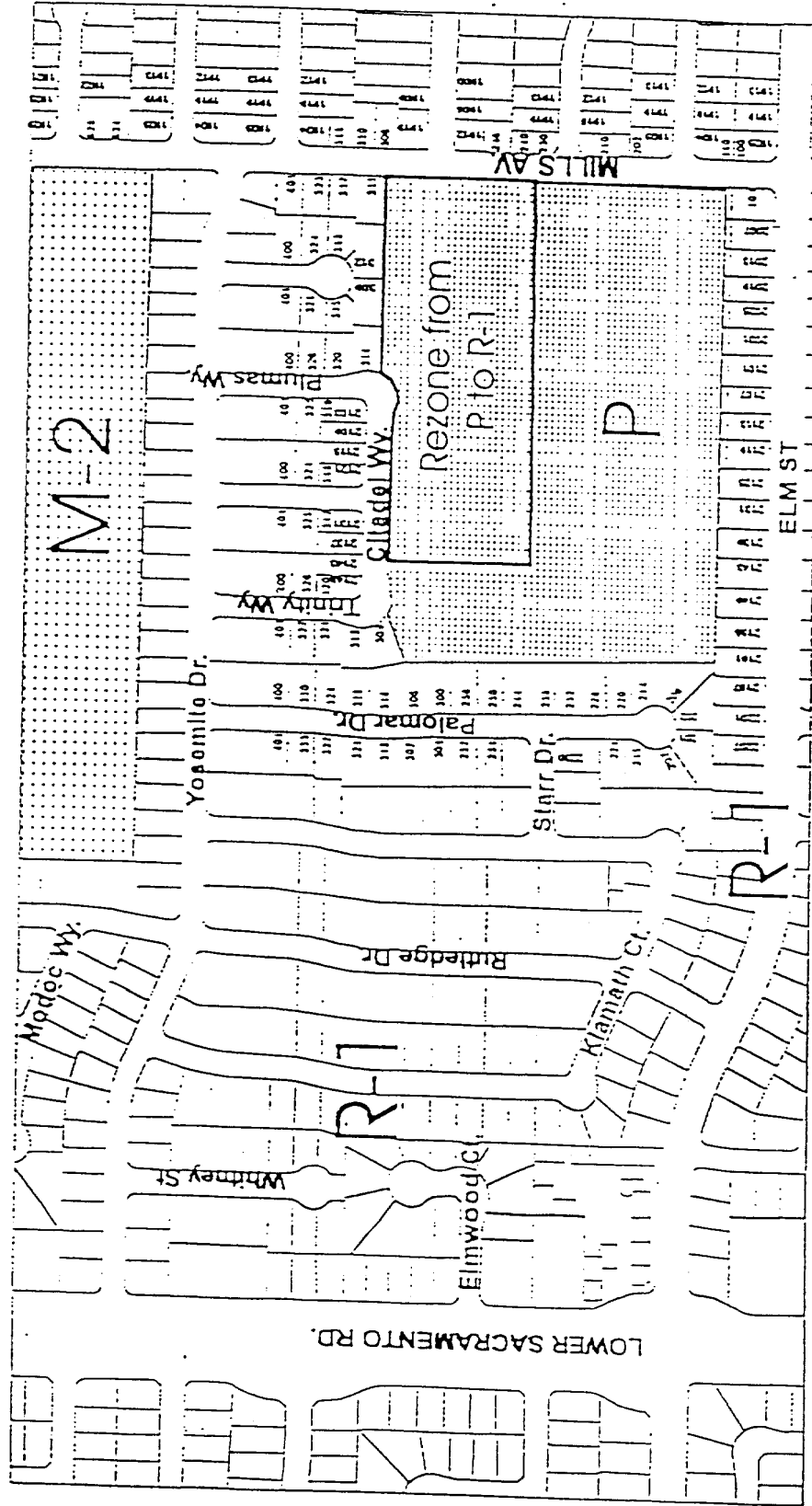
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